

Senate File 528

S-3094

1 Amend Senate File 528 as follows:

2 1. Page 7, after line 25 by inserting:

3 <Sec. _____. NEW SECTION. **578B.10 Disclosure of flood zone.**

4 Prior to the execution of a rental agreement, an operator
5 must disclose to the potential occupant if the storage facility
6 is located in a flood zone as defined by the federal emergency
7 management agency as a "special flood hazard area" in 44
8 C.F.R. pt. 61, Appendix A(3). The disclosure must be made in
9 a separate paragraph in a bold, twelve-point, non-serif font.
10 If the storage facility is located in a "special flood hazard
11 area", the disclosure must recommend that the prospective
12 occupant purchase flood insurance.

13 Sec. _____. NEW SECTION. **578B.11 Disclosure of damage to**
14 **personal property.**

15 If the operator knows, or should reasonably know, that an
16 occupant's personal property has been damaged, the operator
17 must disclose the damage to the occupant by verified mail as
18 soon as possible but not later than three business days.

19 Sec. _____. NEW SECTION. **578B.12 Fire, flood, or other**
20 **casualty damage.**

21 1. If the leased space is damaged or destroyed by fire,
22 flood, or other casualty to an extent that enjoyment of the
23 leased space is substantially impaired, the occupant may do
24 either of the following:

25 a. As soon as is practicable, remove all personal property
26 from the leased space and notify the operator in writing within
27 fourteen days of the occupant learning of the fire, flood, or
28 other casualty of the occupant's intention to terminate the
29 rental agreement, in which case the rental agreement terminates
30 as of the date of vacating.

31 b. If continued use of a portion of the leased space is
32 practicable, the occupant has the sole discretion to elect to
33 terminate under paragraph "a" or to vacate any part of the
34 leased space rendered unusable by the fire, flood, or casualty,
35 in which case the occupant's liability for rent is reduced in

1 proportion to the diminution in the fair rental value of the
2 leased space.

3 2. If the rental agreement is terminated, the operator shall
4 return all prepaid rent and security. In accounting for rent
5 in the event of termination or apportionment, the termination
6 or apportionment is effective as of the date of the fire,
7 flood, or other casualty.>

8 2. By renumbering as necessary.

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